

MUSICK, PEELER & GARRETT LLP

ATTORNEYS AT LAW
120 MONTGOMERY STREET, SUITE 2550
SAN FRANCISCO, CALIFORNIA 94104-4303
TELEPHONE 415-281-2024
FACSIMILE 415-281-2010

David A. Tartaglio (State Bar No. 117232)
d.tartaglio@mpglaw.com
Catherine M. Lee (State Bar No. 197197)
c.lee@mpglaw.com

Attorneys for Defendants THE AMERICAN
SOCIETY FOR REPRODUCTIVE
MEDICINE and SOCIETY FOR ASSISTED
REPRODUCTIVE TECHNOLOGY

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

OPTIONS NATIONAL FERTILITY
REGISTRY, a California Corporation, and
JESSICA and class of plaintiffs believed to be
similarly situated (women egg donors whose
eggs were allegedly given to unknown and
unauthorized recipients via "egg sharing"
without their informed consent, in violation of
an existing legally binding contract),

Plaintiffs,

vs.

THE AMERICAN SOCIETY FOR
REPRODUCTIVE MEDICINE; SOCIETY
FOR ASSISTED REPRODUCTIVE
TECHNOLOGY; DOES 1 through 102
(REGISTERED INFERTILITY
PHYSICIANS) AND DOES 103 through 1500
(FERTILITY CLINICS AND ASSOCIATED
PROFESSIONAL DEFENDANTS),

Defendants.

Case No. C 07 5238 JF

Complaint Filed: October 12, 2007

**STIPULATION TO CONTINUE
HEARING DATE ON DEFENDANTS'
MOTION TO DISMISS PLAINTIFFS'
COMPLAINT FOR LACK OF SUBJECT
MATTER JURISDICTION (FRCP
12(b)(1)) OR ALTERNATIVELY,
MOTION TO DISMISS FIRST, SECOND,
AND THIRD CAUSES OF ACTION FOR
FAILURE TO STATE A CLAIM (FRCP
12(b)(6)) and MOTION TO DISMISS
CLASS CLAIMS (FRCP 12(b)(6)) OR
STRIKE CLASS ALLEGATIONS (FRCP
12(f))**

NEW Hearing date: August 5, 2008

Old Hearing date: July 11, 2008

Trial Date: None.

1 Plaintiffs and defendants The American Society for Reproductive Medicine and
2 Society for Assisted Reproductive Technology, appearing by and through their respective counsel,
3 hereby stipulate as follows:

4 1 At the request of plaintiff's counsel, the hearing of defendants' pending
5 Motion to Dismiss shall be continued from July 11, 2008 to **September 5, 2008**.

6 2 Plaintiff shall file and serve any opposition to defendants' Motion to
7 Dismiss by no later than **August 8, 2008**.

8
9
10 DATED: June 17, 2008

Respectfully submitted,

LAW OFFICES OF STANLEY G. HILTON

11
12 By: 

Stanley G. Hilton
Attorneys for Plaintiffs

13
14 DATED: June 17, 2008

MUSICK, PEELER & GARRETT LLP

15
16 By: 

Catherine M. Lee
Attorneys for Defendants THE AMERICAN
SOCIETY FOR REPRODUCTIVE MEDICINE
and SOCIETY FOR ASSISTED
REPRODUCTIVE TECHNOLOGY

17
18
19
20
21
22
23
24
25
26
27
28
592380.1

MUSICK, PEELER
& GARRETT LLP
ATTORNEYS AT LAW

STIPULATION TO CONTINUE HEARING DATE ON DEFENDANTS' MOTION TO DISMISS
PLAINTIFFS' COMPLAINT FOR LACK OF SUBJECT MATTER JURISDICTION OR ALT. MOT TO
DISMISS 1ST, 2ND, & 3RD C/A FOR FAILURE TO STATE A CLAIM & MOT TO DISMISS CLASS
CLAIMS OR STRIKE CLASS ALLEGATIONS